

## **EDUCATIONAL OPPORTUNITIES FOR INDIANA'S JUDICIARY!**

# **SPRING JUDICIAL COLLEGE**

## **April 23, 24, & 25, 2003**

■ The Spring Judicial College will offer a choice of courses each day. You must **REGISTER IN ADVANCE** for the course(s) you would like to attend. You may choose to register for a course on only one day, two days, or all three days.

■ In an effort to enhance class participation, each course will be limited to 30-50 participants, and will be filled on a first-come, first-served basis. Every effort will be made to accommodate your selection(s).

■ *Once enrolled in a course, you must attend all segments of that course (i.e., you will not be able to attend segments of other courses that run concurrently.)*

■ You will receive confirmation regarding your course enrollment and advance reading materials (if applicable).

■ If you have registration questions, please call Becky Goldstein at the Judicial Center, 317-232-1313.



**115 W. Washington Street, Suite 1075  
Indianapolis, Indiana 46204-3424  
317-232-1313**

# Course Offerings for Wednesday, April 23

## A Judge's Guide to Federal Laws Affecting Litigants and Employees Called to Active Duty

9:00 a.m. – 12:00 p.m. (2.8 CLE & Judicial College Credit)

American military troops are being called into active duty by the thousands. What effect could this have on your courtroom? Learn about the *Soldiers' & Sailors' Civil Relief Act (SSCRA)*, which suspends the enforcement of certain civil liabilities so that the military member can devote all of his or her energy to the defense needs of the nation. The *Uniformed Services Employment & Reemployment Rights Act (USERRA)* provides protection of civil jobs upon the return from active duty. Also addressed will be how to process child support, income withholding orders and garnishments, and service of process on those in Kuwait. *Course materials will be posted on the Judicial Center website.* **Faculty:** Christopher L. Burnham, Morgan Superior Court, Lt. Col., Staff Judge Advocate, Indiana Air National Guard; Lt. Col. J.T. Parker, JAG School, Charlottesville, Virginia.

## Evidence Workshop

9:00 a.m. - 12:00 p.m. (2.8 CLE & Judicial College Credit)

This interactive workshop will feature a videotaped mock trial of a domestic battery prosecution. At the end of each video segment, an objection will be raised and participants will be asked to make a ruling. A wireless electronic response unit will allow you to anonymously register your ruling. A panel of judges will lead the discussion regarding applicable rules of evidence and issues raised during each video segment. *This workshop was originally presented in 1996.* **Faculty:** William J. Hughes, Hamilton Superior Court; Diana LaViolette, Putnam Circuit Court; P. Thomas Snow, Wayne Superior Court.

## Introduction to Excel

9:00 - 11:30 a.m. (2.5 "NLS" CLE & Judicial College Credit)

Excel is the computer equivalent of a paper ledger sheet, and it can make number manipulation easy and somewhat painless. Excel is often used for calculating a column of numbers or can be used to generate a more sophisticated formula to calculate some statistical measure on a list of numbers. This course will teach the basics of Microsoft Excel. *Participants will each have a computer for hands-on learning. (\*This course will be conducted off-site at JTAC's Computer Lab.)*

## ADR Techniques Beyond Mediation

9:00 a.m. - 3:00 p.m. (4.5 CLE & Judicial College Credit)

Mediation is familiar to most judges, but do you know about the other methods available for resolving disputes, such as arbitration, mini trials, summary jury trials, and judicial settlement conferences? This course will address the following issues: what is the impact of alternative dispute resolution techniques (ADR) on the judiciary; does ADR provide a means of docket control; how does it impact case management; what kinds of cases should be using ADR, and which technique works best under a given set of facts; what to expect in a judicial settlement conference; and how does "private judging" work? **Faculty:** David Avery, Allen Superior Court; Michael P. Bishop, Drewry, Simmons, Pitts & Vornehm; Nancy Eshcoff Boyer, Allen Superior Court; Ronald P. Kuker, Hoepper, Wagner & Evans; Susan Macey, Van Winkle, Batten & Rimstidt; and, V. Sue Shields, U.S. District Court, Southern District.

## Evaluating Youth Competence and Talking to Teens

9:00 a.m. - 4:00 p.m. (5.0 CLE & Judicial College Credit)

Increasingly, juvenile courts are routinely calling on mental health professionals to conduct evaluations that will help answer the ultimate legal question: *Is this child competent?* During the morning session, faculty will explore the role of a professional conducting a competency evaluation; the elements of a good evaluation; principles of forensic assessment relevant to competence; and how to use these evaluations at different stages in the juvenile and adult criminal court process. The afternoon session will deal with, "How do you talk to the teenager in your courtroom?" The unique aspects of adolescent development have implications for interviewing a teenager. Participants will learn how to gauge a young person's level of language competence, how to obtain the maximum amount of information in a limited time frame, how to convey a non-judgmental demeanor, and how to defuse an angry teenager. *This course is sponsored by the ABA Juvenile Justice Center.* **Faculty:** Antoinette Kavanaugh, Ph.D., Clinical Psychologist; James Loving, Psy.D., Forensic Psychologist.

## The Guilty Plea Process

1:00 - 4:00 p.m. (2.8 CLE & Master's Level Credit)

The objective of this course is to provide participants an opportunity to discuss and analyze the guilty plea process in Indiana trial courts. Designed for the more experienced judicial officer, the course will be conducted in a seminar format with extensive group participation through the use of scenarios and hypothetical problems. Although attention will be given to statutory provisions and relevant case law, the discussion will focus on how the process actually functions in Indiana courtrooms so that participants may evaluate the variety of current practices and debate potential modifications or reforms. **Faculty:** Earl G. Penrod, Gibson Superior Court.

## Adult Competence to Stand Trial: Evaluations & Outcomes

1:00 - 4:00 p.m. (2.8 CLE & Judicial College Credit)

This course will focus on: the elements of a thorough "competence to stand trial" evaluation - what should be covered in the clinical evaluation and what should be presented in the report to the court; what happens when a defendant is committed for restoration to competence, including data on restoration success rates in Indiana. Conclusions drawn from the forensic psychiatry research literature regarding competence to stand trial and restoration to competence will be also discussed. **Faculty:** George F. Parker, M.D. Director of Forensic Psychiatry, Indiana University School of Medicine, Indianapolis.

## Introduction to PowerPoint

1:30 - 4:00 p.m. (2.5 "NLS" CLE & Judicial College Credit)

PowerPoint is a presentation tool that lets you create slides to supplement your lecture, meeting or speech. It gives you everything you need to produce a professional-looking presentation including word processing, outlining, drawing, graphing, handouts and speaker notes – all designed to be easy to use and learn. This course will teach the basics of Microsoft PowerPoint, and each participant will have a computer for hands-on learning. *(\*This course will be conducted off-site at JTAC's Computer Lab.)*

# Course Offerings for Thursday, April 24

## ■ Online Legal Research Training for Beginners

9:00 - 11:30 a.m. (2.5 CLE & Judicial College Credit)

Learn how to use LexisNexis to access legal information and news for Indiana and beyond. Training will involve demonstrating and practicing time-saving methods for accessing Indiana case law, statutes and regulations, as well as other state and federal material. The ability to instantly Shepardize all case law will be a focal point, as will print and download functionality. This course is intended for beginners and for those that need a refresher course. Each participant will have a computer for hands-on learning. (\*This course will be conducted off-site at JTAC's Computer Lab.)

## ■ What Works in Reducing Recidivism for Offenders

9:00 a.m. - 4:00 p.m. (5.0 CLE & Judicial College Credit)

This workshop will focus on reducing recidivism among offenders. Participants will learn about the principles of effective intervention, how they were derived and how they are applied. Workshop content will address several questions including: what works in reducing recidivism, what doesn't work, what are the major predictors of criminal behavior, and what are some of the characteristics of effective programs. **Faculty:** Edward J. Latessa, Professor and Chair, Division of Criminal Justice at the University of Cincinnati.

## ■ Relevance, Character and Hearsay Evidence

9:00 a.m. - 4:00 p.m. (5.0 CLE & Judicial College Credit)

The morning portion of this course will include a review of the rules relating to relevance, the special rules of legal relevance, and the process of balancing the probativeness of relevant evidence against dangers such as unfair prejudice, cumulativeness, and jury confusion. Participants will take a concentrated look at the often difficult rules that apply to evidence offered to prove the character of the criminal accused, victims in criminal cases, and witnesses in any case. The afternoon session will include a review of the delineations between hearsay, nonhearsay, and exceptions to the hearsay rule. You will learn how to distinguish between those exceptions that require the unavailability of the declarant and those that do not, and a thorough discussion of the concept of "unavailability" will be included. The last portion of the course will deal with the four aspects of the Sixth Amendment Confrontation Clause. **Faculty:** Professor Penny J. White, University of Tennessee College of Law, Knoxville, Tennessee.

## ■ Life OnLine: Being a State Judge in a Networked World

9:00 a.m. - 3:00 p.m. (4.5 CLE & Judicial College Credit)

Judges are increasingly living their professional lives "online." This raises some interesting questions and concerns regarding public access versus privacy issues. One of the nation's leading experts on technology and information issues, Professor Cate will present a practical approach to being a state judicial officer in a networked world.

**Faculty:** Professor Fred Cate, Indiana University School of Law, Bloomington.

## ■ The In's and Out's of Indiana Protection Order Laws

9:00 a.m. - 4:00 p.m. (5 hours CLE & Judicial College Credit)

Sweeping changes were made in Indiana's laws concerning protection from abuse orders, no contact orders, and workplace violence restraining orders in 2002. This course will include an in-depth review of the changes in the laws, procedures and forms dealing with protection orders. Particular attention will be given to the substantive provisions of the new Civil Protection Order Act, enforcing foreign orders, full faith and credit issues, and the impact of federal firearm laws. Faculty members will also address many of the frequently asked questions dealing with protections orders and enforcement issues. **Faculty:** Ruth Reichard, Senior Judge; and a panel of judges and attorneys.

## ■ Advanced Online Legal Research Training

1:30 - 4:00 p.m. (2.5 CLE & Judicial College Credit)

Take your LexisNexis knowledge to the next level. This training session features practicing how to use Lexis for Indiana-specific legal research and advanced search techniques. The course is intended for intermediate to advanced users. Each participant will have a computer for hands-on learning. (\*This course will be conducted off-site at JTAC's Computer Lab.)

\*All computer courses will be held in the JTAC Computer Lab located at One North Capitol Avenue, Room 222, downtown Indianapolis, across from the Statehouse. Each computer lab course will be limited to 16 participants.

# Course Offerings for Friday, April 25

## Domestic Violence and the Impact on Child Custody and Visitation Decisions

9:00 a.m. - 12:15 p.m. (3.0 CLE & Judicial College Credit)

Separation and dissolution are not a vaccination against domestic violence. Rather, studies show that physical abuse, stalking and harassment continue at significant rates post-separation. Visitation can be used by batterers as an opportunity to further abuse not only the former spouse, but many times the children as well. This workshop will focus on the effects of domestic violence on children, the reasons why domestic violence is relevant in the determination of the best interests of the child in custody/visitation disputes, and what the trial court should consider in evaluating custody and visitation issues when there is evidence or an allegation of domestic violence in the case. **Faculty:** Peter Jaffe, Ph.D., Special Advisor on Violence Prevention & Founding Director, Centre for Children & Families in the Justice System of the London Family Court Clinic, London, Ontario.

## And The Final Double Jeopardy Answer Is . . .

9:00 a.m. - 12:00 p.m. (2.5 CLE & Judicial College Credit)

From Richardson and Spivey to Guyton, Carrico, Robinson and beyond, this course will offer participants an in-depth analysis and review of Indiana Supreme and Appellate Court case opinions on state constitutional double jeopardy jurisprudence. The speaker will offer her opinion and insight on the analysis to be used in resolving state constitutional double jeopardy claims. **Faculty:** Jane Magnus-Stinson, Marion Superior Court.

## Online Legal Research Training for Beginners

9:00 - 11:30 a.m. (2.5 CLE & Judicial College Credit)

Learn how to use LexisNexis to access legal information and news for Indiana and beyond. Training will involve demonstrating and practicing time-saving methods for accessing Indiana case law, statutes and regulations, as well as other state and federal material. The ability to instantly Shepardize all case law will be a focal point, as will print and download functionality. This course is intended for beginners and for those that need a refresher course. Each participant will have a computer for hands-on learning. (\*This course will be conducted off-site at JTAC's Computer Lab.)

## Literature and the Profession

9:00 a.m. - 3:00 p.m. (4.5 "NLS" CLE & Master's Level Credit)

Literature and the Profession is a program using short great literary works to stimulate discussions about the complex social, moral and ethical issues judicial officers face in their public and private lives. Selected texts for this course are: **King Lear** by William Shakespeare, **Paul's Case** by Willa Cather, and **The Senior Partner's Ethics** by Louis Auchincloss. Participants will be encouraged to discuss the assigned stories and tell the stories of their lives so as to illuminate and explore their work and relationships in broader context. This course will be limited to 30 participants. Reading assignments will be sent out in advance to enrolled participants. **Faculty:** Sanford M. Lottor, Founder and Principal, Literature and the Professions.

## Judicial Management of the Probation Department

9:00 a.m. - 3:15 p.m. (4.8 CLE & Judicial College Credit)

This course is designed for new and experienced judicial officers to discuss administrative and managerial issues relating to probation departments, probation officers and the new Adult Interstate Compact. Topics to be discussed include: the role of the supervising judge; probation officer salary and the new salary schedule issues; selection, certification and training of probation officers; probation officer duties and various supervision issues. Session time will be reserved for participants to raise and discuss their own probation department administrative issues.

**Faculty:** John F. Surbeck, Jr., Allen Superior Court; Mary R. Harper, Porter Circuit Court; Mark Stoner, Marion Superior Court; Daniel J. Vanderpool, Wabash Circuit Court; Robert Champion, Probation Administrator, Indiana Judicial Center; Todd McCormack, Director, Hendricks Superior Court Probation Department; Neil Hannon, Chief Probation Officer, Porter County Adult Probation; and, Ann Hyde, Director, South Carolina Interstate Compact.

## Advanced Online Legal Research Training

1:30 - 4:00 p.m. (2.5 CLE & Judicial College Credit)

Take your LexisNexis knowledge to the next level. This training session features practicing how to use Lexis for Indiana-specific legal research and advanced search techniques. The course is intended for intermediate to advanced users. Each participant will have a computer for hands-on learning. (\*This course will be conducted off-site at JTAC's Computer Lab.)

---

The Indiana Judicial Center, as the approved sponsor, will certify to the Indiana Continuing Legal Education Commission, the **Continuing Legal Education Credit (CLE)** you report to the Indiana Judicial Center. Certificate of attendance forms will be provided at each course. You need to complete at least 6 hours of CLE each year with no less than 36 hours per each 3 year reporting period, and at least 3 hours in ethics/professional responsibility per each 3 year period. No more than 12 hours of the 36 hour requirement is to be filled by non-legal subject matter courses "NLS."

**The Indiana Judicial College** is a program offered by the Indiana Judicial Center for all judicial officers and requires 120 hours of designated "Judicial College credit" hours offered by the Judicial Center. All judicial officers are automatically eligible but Judicial College credits must be claimed on the forms provided by the Indiana Judicial Center. (*Judicial College credit forms are not the same as the CLE certificate of attendance forms.*)

**The Master's Certificate Program**, a new program created September, 2002, is offered by the Indiana Judicial Center for graduates of the Indiana Judicial College. Judicial officers must earn 120 additional hours of Judicial College credit courses with at least 30 of those hours being "Master's Level credit." Credit hours are to be claimed on forms provided by the Judicial Center. You will need to complete the Graduate Program for Indiana Judges before or during participation in the Master's Certificate Program, and you will need to submit a paper on a legal topic of choice. **For additional information, please visit the Judicial Education Webpage at [www.in.gov/judiciary/center/ed](http://www.in.gov/judiciary/center/ed).**